

400 Garden City Plaza – Suite 300  
Garden City, New York 11530  
(516) 742-4343 - Telephone  
(516) 742-4366 – Facsimile  
e.mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY  
& PRESSER**

**RECEIVED**  
**CENTRAL FAX CENTER**

**MAY 24 2005**

# Fax

<b>To:</b>	<b>Examiner Mellissa M. Chojnacki</b> <b>GROUP ART UNIT: 2175</b>	<b>From:</b>	<b>Steven Fischman, Esq.</b>
<b>Fax:</b>	<b>(703)-872-9306</b>	<b>Pages:</b>	<b>26 (Including fax cover sheet)</b>
<b>Phone:</b>		<b>Date:</b>	<b>May 24, 2005</b>
<b>Re:</b>	<b>William F. Micka</b> <b>U.S. Serial No. 10/079,458</b> <b>Docket: TUC920010091US1</b> <b>(14914)</b>	<b>CC:</b>	

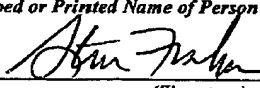
## **RESPONSE UNDER 37 C.F.R. §1.116**


### **COMMENTS:**

Transmitted herewith are the following:

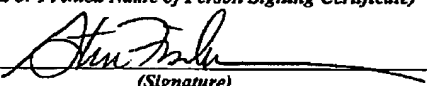
1. Amendment Transmittal letter (in duplicate)
2. Response Under 37 C.F.R. §1.116
3. Certificate of Transmission by Facsimile, dated May 24, 2005 (in duplicate)

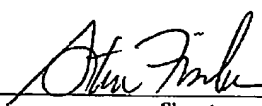
**CONFIDENTIALITY:** The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>		Docket No. <b>TUC920010091US1 (14914)</b>	
Applicant(s): <b>William F. Micka</b>			
Application No. <b>10/079,458</b>	Filing Date <b>February 20, 2002</b>	Examiner <b>Melissa M. Chojnacki</b>	Group Art Unit <b>2164</b>
Invention: <b>INCREMENTAL UPDATE CONTROL FOR REMOTE COPY</b>			
<p>I hereby certify that this <u><b>RESPONSE UNDER 37 C.F.R. 1.116</b></u>  <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u><b>703-872-9306</b></u>)</p> <p>on <u><b>May 24, 2005</b></u>  <small>(Date)</small></p> <div style="text-align: right; margin-top: 100px;"> <u><b>Steven Fischman</b></u>  <small>(Typed or Printed Name of Person Signing Certificate)</small>    <small>(Signature)</small> </div>			
<b>Note: Each paper must have its own certificate of mailing.</b>			

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>TUC920010091US1 (14914)</b>							
Applicant(s): <b>William F. Micka</b>												
Application No. <b>10/079,458</b>	Filing Date <b>February 20, 2002</b>	Examiner <b>Melissa M. Chojnacki</b>	Customer No. <b>23389</b>	Group Art Unit <b>2164</b>	Confirmation No. <b>6646</b>							
Invention: <b>INCREMENTAL UPDATE CONTROL FOR REMOTE COPY</b>												
<b>COMMISSIONER FOR PATENTS:</b>												
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.												
<b>CLAIMS AS AMENDED</b>												
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE							
TOTAL CLAIMS	52 -	52 =	0	x \$50.00	\$0.00							
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00							
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00							
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>							
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>09-0449/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.												
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>												
 Signature <b>Steven Fischman</b> Registration No. 34,594 <b>SCULLY, SCOTT, MURPHY &amp; PRESSER</b> 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: <b>May 24, 2005</b>									
SF/BM:ej CC:			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">           I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____            (Date) </td> </tr> <tr> <td colspan="2" style="text-align: center;">           Signature of Person Mailing Correspondence </td> </tr> <tr> <td colspan="2" style="text-align: center;">           Typed or Printed Name of Person Mailing Correspondence </td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date)		Signature of Person Mailing Correspondence		Typed or Printed Name of Person Mailing Correspondence	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date)												
Signature of Person Mailing Correspondence												
Typed or Printed Name of Person Mailing Correspondence												

P11LARGE/REV09

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>		Docket No. <b>TUC920010091US1 (14914)</b>	
Applicant(s): <b>William F. Micka</b>			
Application No. <b>10/079,458</b>	Filing Date <b>February 20, 2002</b>	Examiner <b>Melissa M. Chojnacki</b>	Group Art Unit <b>2164</b>
Invention: <b>INCREMENTAL UPDATE CONTROL FOR REMOTE COPY</b>			
<p>I hereby certify that this <u><b>RESPONSE UNDER 37 C.F.R. 1.116</b></u>  <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u><b>703-872-9306</b></u>)</p> <p>on <u><b>May 24, 2005</b></u>  <small>(Date)</small></p> <div style="text-align: right; margin-top: 100px;"> <u><b>Steven Fischman</b></u>  <small>(Typed or Printed Name of Person Signing Certificate)</small>    <small>(Signature)</small> </div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>TUC920010091US1 (14914)</b>	
Applicant(s): <b>William F. Micka</b>						
Application No. <b>10/079,458</b>	Filing Date <b>February 20, 2002</b>	Examiner <b>Melissa M. Chojnacki</b>	Customer No. <b>23389</b>	Group Art Unit <b>2164</b>	Confirmation No. <b>6646</b>	
Invention: <b>INCREMENTAL UPDATE CONTROL FOR REMOTE COPY</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	52 -	52 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>09-0449/IBM</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature			Dated: <b>May 24, 2005</b>			
<b>Steven Fischman</b> Registration No. 34,594 <b>SCULLY, SCOTT, MURPHY &amp; PRESSER</b> 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;">         I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____          (Date)          _____          Signature of Person Mailing Correspondence          _____          Typed or Printed Name of Person Mailing Correspondence          _____       </div>			
SF/BM:ej CC:						

P11LARGE/REV09

**RECEIVED  
CENTRAL FAX CENTER**

**MAY 24 2005**

**RESPONSE UNDER 37 C.F.R.  
§1.116 EXPEDITED PROCEDURE  
EXAMINING GROUP**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	William F. Micka	Examiner:	Melissa M. Chojnacki
Serial No:	10/079,458	Art Unit:	2164
Filing Date:	February 20, 2002	Docket:	TUC920010091US1 (14914)
For:	<b>INCREMENTAL UPDATE CONTROL FOR REMOTE COPY</b>	Date:	May 24, 3005
Conf. No.:	6646		

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. §1.116**

Sir:


This document is submitted in response to the Final Office Action mailed March 24, 2005. No new matter has been introduced.

---

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office at 703-872-9306 on May 24, 2005.

Dated: May 24, 2005

  
Steven Fischman

G:\lbm\1545\14914\amend\14914.am3.doc